

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SYDNEY BROOKE ROBERTS, et al.,

No. 2:22-cv-1699 DJC AC PS

Plaintiffs,

ORDER

v.
SACRAMENTO HOUSING AND
REDEVELOPMENT AGENY, et al.,

Defendants.

Plaintiffs are proceeding in this action in pro per. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21).

On May 31, 2023, the Magistrate Judge filed findings and recommendations herein which were served on all parties, and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 36.) No party filed objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

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1 Accordingly, IT IS HEREBY ORDERED that the findings and recommendations
2 filed May 31, 2023, are adopted in full and Defendants' Motion to Dismiss, ECF No.
3 21, is GRANTED IN PART and DENIED IN PART as follows:

4 1. GRANTED as to defendants Darrell Steinberg, Angelique Ashby, Sean
5 Lololee, Jeff Harris, Katie Valenzuela, Jay Schenirer, Eric Guerra, Rick Jennings, Mai
6 Vang, Phil Serna, Rich Desmond, Sue Frost, and Don Nottoli, all of whom are
7 DISMISSED WITH PREJUDICE;

8 2. GRANTED without leave to amend as to the claim for family composition
9 discrimination (Claim Six), which is DISMISSED WITH PREJUDICE;

10 3. DENIED as to the remaining individual defendants, all claims against whom
11 should be CONSTRUED as individual capacity claims only;

12 4. DENIED as to claims for disability discrimination in housing under the
13 Americans with Disabilities Act, the Rehabilitation Act, and the Fair Housing Act
14 (Claims One and Five);

15 5. DENIED as to the ineffective communication claim under the Americans with
16 Disabilities Act (Claim Two);

17 6. DENIED as to the Fourteenth Amendment due process violation claim (Claim
18 Three); and

19 7. DENIED as to the accessibility of services claims (Claim Four).

20 In addition, Plaintiffs will be granted leave to amend to include additional facts
21 as outlined by the magistrate judge in the findings and recommendations within 30
22 days of the entry of this order. (See ECF No. 36.)

23 IT IS SO ORDERED.

25 Dated: November 17, 2023


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE